

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated January 9, 2007.

Applicant's attorneys appreciate the Examiner's continued thorough search and examination of the present patent application.

Claims 1-17, 47-68 are pending in this application. Claims 49-68 have been withdrawn from consideration. Claims 1-8, 11-13, 15, 47, 49-54, 57, 59, 62-65 and 68 have been rejected. Claims 9, 10, 14, 16, 17, 48, 55, 56, 58, 60, 61, 66 and 67 have been objected to.

Claim 48 has been amended to properly depend from claim 47. Claim 47 is an elected claim.

Claims 9, 55, 60, 66, 10, 56, 61, 58, 16, 17 and 67 have been objected to as being dependent upon a base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-8, 11-13, 15, 47, 49-54, 57, 59, 62-65 and 68 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,606,627 to Kuo ("Kuo").

Reconsideration and withdrawal of this rejection are respectfully requested.

Amended independent claim 1 is directed to a topographic data processor that includes "means for selecting a pair of frames from a plurality of candidate picture frames of a target area captured from a plurality of orbits." Claim 1 was amended to recite that "each frame of the pair of frames having been independently captured on a unique orbit of the plurality of orbits." Support for this amendment may be found on page 5, lines 16-26 of the specification of the present application. No new matter was added.

Independent claim 47 was amended to include the same recitation.

Contrarily, at col. 7, lines 27-29 of the Examiner referenced section of Kuo, stereo image pair 20 is described as being "taken from a vehicle moving at a distance sufficiently high above the ground in an arrangement shown in FIG. 2." In other words, Kuo describes the pair of images as being taken from the same vehicle, i.e., on the same orbit and the same distance from the target. Therefore, Kuo does not teach, disclose, or suggest "means for selecting a pair of frames from a plurality of candidate picture frames of a target area captured from a plurality of orbits, each of the pair of frames having been independently captured on a unique orbit of the plurality of orbits" as recited in claims 1 and 47.

Thus, Kuo does not anticipate Applicants' independent claims 1 and 47. Claims 2-17 and 48-68 depend directly or indirectly from the above discussed independent claims and are, therefore, allowable for the same reasons, as well as because of the combination of features in those claims with the features set forth in the respective independent claims.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
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Respectfully submitted,



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